

CANADIAN LAW GIVES FULL POWER TO CHECK THE GREEDY PROFITEER

(Continued From First Page.)

rights and privileges of the producers of commodities. The board has the power to investigate and to apply in the Exchequer Court for revocation of the license. It is considered a crime for any person to violate the provisions of the law. The board may make for the revocation of a patent will be favorably considered by the court.

In case the board finds that any combine, either in operation or in the process of formation, is aided by or probably will be aided by the duties or customs on the article or articles controlled by the combine, the matter will be passed up to the Governor in Council. That official, at his discretion, may direct that the duty on the article or articles be abolished or reduced to an extent sufficient to give the public the benefit of reasonable competition.

Various methods of the prosecution of persons found guilty by the board of profiteering are provided by the law. Penalties range from fines of \$1,000 a day during the period of disobedience or evasion of orders issued by the board to fines of \$5,000 or imprisonment for a term not exceeding two years, or both fines and imprisonment.

If the board desires, any order or decision it issues may be made a rule, order or decree of the Exchequer Court—the Canadian High Court—or of any Superior Court in any province in Canada, by the simple expedient of sending the order or decree to the court and having it entered on the court record.

Appeal from decisions and orders of the board is provided for in the law, but a layman reading these provisions gets the idea that the appellant isn't going to get very far, for the reason that the powers of the board are pretty close to absolute. It would be hard to upset its rulings. The accused profiteers are given plenty of opportunity to plead their cases before a decision is reached.

LEGAL HURDLES ARE ELIMINATED FROM THIS LAW.

The framers of the law were careful to eliminate the sort of legal hurdles which are utilized in the United States for the purpose of delaying proceedings in the courts or before committees or boards empowered to work in the public interest. American lawyers will be interested in these

provisions, quoted from the Canadian law:

"Save as provided in this section (dealing with review and appeal)—
"(a) Every decision or order of the board shall be final; and
"(b) No order, decision or proceeding of the board shall be questioned or reviewed, restrained or removed by prohibition, injunction, certiorari or any other process or proceeding in any court."

As for combines, the Canadian law gets them coming, going and standing still. It has been the practice in the United States to allow combinations in restraint of trade to form, to make feckless attacks upon them as they grew and grew, and finally break them up after they had become so unwieldy that their own managers were unable to handle them—said breaking up invariably rebounding to the profit and well being of the combine, as witness the cases of the Standard Oil Trust and the Beef Trust.

One of the jobs of the Board of Commerce is to catch combines while they are young. Here is Section 11, paragraph 2 of the law:

PROVIDES MACHINERY FOR BREAKING UP ATTEMPTED COMBINES.

"If upon the hearing of any investigation the board shall be of the opinion that a combine exists or is being formed, and that the person complained of is a party thereto, it may issue and cause to be served on such person an order requiring him to cease or desist from the acts or practices actually proved against him, WHETHER OR NOT THESE ARE IN THE COMPLAINT, and which in whole or in part constitute the operations of a combine or the processes of the formation of such, and to cease and desist as well from any other act or practice in pursuance of the operation of such combine or the formation thereof, to the extent to which the board shall deem it reasonable or necessary to prohibit."

Now we get to the actual operation of the Canadian law to limit profiteering as it is exemplified in the two

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most important orders issued thus far by the Board of Commerce. One, dated Nov. 26, regulates the profits allowed on certain classes of clothing for men, and the other, dated Nov. 26, fixes profits on the material generally sold in shops catering to the wearers of men's suits and shoes.

On Nov. 20 the full board issued the following decree:

"Whereas, sales by retail of the commodities men's ready-made and partly ready-made suits and overcoats purchased by the retailer therefrom at a cost of \$25 or under are customarily made at a higher gross profit or margin to the retailer than the like commodities purchased by him at a greater cost.

"And whereas, it has become

necessary to insure the securing of either of the said commodities at fair prices by persons of moderate means; and the organized retail clothiers of the City of Toronto have agreed to the terms of this order following:

DEALERS ARE LIMITED TO 26 PER CENT. PROFIT.

"When the cost of the commodity to the vendor is \$35 or under he may mark, offer or sell at a gross profit or margin not greater than 26 per cent. of the sale price marked or demanded, but when the cost of the commodity to the vendor is over \$35 he may mark, offer or sell at a gross profit or margin not greater than 25 1-3 per cent. of the sale price

marked or demanded.

"Provided, however, that after the 15th day of March, 1920, the mentioned limitation of 26 per cent. shall apply when the cost of the commodity to the vendor is \$30 or under, and the mentioned limitation of 25 1-3 per cent. shall apply when the cost of the commodity to the vendor is over \$30.

"This order was, in a sense, experimental, inasmuch as it applied only to the City of Toronto, but it is meant to apply, after Jan. 1, 1920, to the Dominion of Canada. Before Jan. 1 every manufacturer, wholesaler, commission merchant, retailer or whatever manner of vendor of the commodity described, must file with the board a complete inventory of his stock on hand, what he paid for each

article, the price he demands and his overhead and other charges. The board will then set the prices to be charged and the profits to be obtained.

In figuring the gross profit the board admits, as a basis of sale, the invoice price, plus duty, if any, exchange and freight actually paid. Discounts actually paid or allowable are to be deducted.

The boot and shoe order is applicable to all Canada. In its enacting clauses it reads:

"It appearing desirable that a maximum profit should be set for retailers of boots, shoes, rubbers, over-shoes, gaiters and other articles usually sold within retail shoe establishments in Canada, all of which specially and generally mentioned ar-

ticles are hereinafter referred to as the 'said commodities'.

"It is ordered that until the further order of this board, the margin or gross profit to the retailers of the said commodities and each of them within Canada shall not exceed thirty-three and one-third per centum (33 1-3) of the sale price thereof and that sales thereof in contravention of this order shall be deemed to bear an unfair profit.

"It is further ordered that up to and including the 24th day of December, 1919, any person concerned, whether vendor or consumer, may apply in writing to the board for any amendment or variation of this order to have effect territorially or otherwise, but that, notwithstanding the

terms of this order, the same shall have effect from and after the date hereof.

"H. A. ROSSON, Chief Commissioner.
"W. F. O'CONNOR, Commissioner.
"JAMES MURDOCK, Commissioner."

GAS FUMES KILL BANKER.

BALTIMORE, Dec. 28.—Ashton G. Clapham of Washington, President of the Consolidated Oil and Refining Company of Baltimore, and also interested in the Daniel H. Willard Company of this city, was asphyxiated last night at his summer home on Flood Island Avenue, Extended, Washington. Mr. Clapham was for many years President of the Washington Commu-

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These Tricotine Frocks Spell Springtime In the Language of the Mode.

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Such Fabrics and Such Furs as These Symbolize the Higher Type of Luxury In Coats

AMONG the season's most successful contributions to the mode is the fur-trimmed coat, developed in the smarter and more serviceable materials, like Evora, Bolivia, Velour, Peach Bloom and Silvertip Bolivia, with collars and cuffs of Taupe Nutria, Australian Opossum and Ringtail, giving the final note of smartness.

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FUR still reigns supreme as a decorative motif for the more fashionable suits, and its striking effectiveness is shown to great advantage in these richly tailored garments of Duvet Superior Velour, Tricotine and Duvet de Laine, enriched with collars of Taupe Nutria and Squirrel, in new designs of exceptional grace and beauty, in all sizes for women and misses.

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Silken Frocks That Accord With All the Moods of Springtime.

THE new Spring silhouettes that have just appeared are interpreted in frocks of Georgette, adorned with Sphinx, Crystal, Iridescent, Jade and Shell beading and trimmed with Margot, Silk Chantilly or Bruxelles Lace, with girdles of Fancy Matelasse or Silk Cere and harem or pleated skirts. Costumes of Taffeta and Satin feature new hip draped effects.

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